

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

GLENN WINNINGHAM, )  
Plaintiff, )  
 )  
v. ) No. 3:08-CV-1204-G  
 ) ECF  
THE CROWN, ET AL., )  
Defendants. )

**RECOMMENDATION REGARDING MOTION TO PROCEED  
IN FORMA PAUPERIS ON APPEAL**

Before the court is plaintiff's Motion for Leave to Proceed *In Forma Pauperis* on Appeal.

( ) The motion for leave to proceed *in forma pauperis* on appeal should be GRANTED. 28 U.S.C. § 1915.

(X) The motion for leave to proceed *in forma pauperis* on appeal should be DENIED for the following reasons:

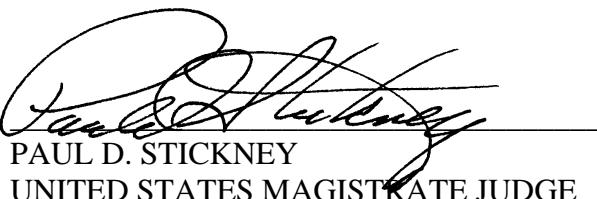
( ) The plaintiff is not a pauper.

( ) The plaintiff has not complied with the requirements of 28 U.S.C. § 1915(a)(1) or (a)(2).  
*See* Notice of Deficiency and Order filed on \_\_\_\_\_.

(X) Pursuant to 28 U.S.C. § 1915(a)(3) and Fed. R. App. P. 24(a)(3), the court should certify that the appeal is not taken in good faith.

**Although this appeal should be certified as not taken in good faith under 28 U.S.C. § 1915(a)(3) and Fed. R. App. P. 24(a)(3), the plaintiff may challenge this finding by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within 30 days of this order.**

DATE: February 4, 2009



PAUL D. STICKNEY  
UNITED STATES MAGISTRATE JUDGE